

**TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE**



FISCAL NOTE

HB 2061 - SB 1835

March 22, 2011

SUMMARY OF BILL: Creates a Class A misdemeanor for a motor fuel transporter knowingly to offload motor fuel into a retail station fuel tank while more than 10 feet from, or outside the line of sight of, the truck's shut off, or knowingly to offload motor fuel without displaying at least 10 traffic cones surrounding the fueling hose. Creates a Class A misdemeanor for a retail station operator knowingly to allow a motor fuel transporter to offload motor fuel at the station without the requisite number of cones. Creates a Class C misdemeanor, punishable by fine only, for any person to knowingly drive over a fueling hose when the hose is surrounded by at least 10 traffic cones.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- According to the Department of Commerce and Insurance, the provisions may impact Class 1 and Class 3 dealers of liquefied petroleum gas; however, there will be no additional requirements of the Department to regulate liquefied petroleum gas dealers.
- According to the Department of Safety, there will be no impact on the Commercial Vehicle Enforcement Division.
- There will not be a sufficient number of prosecutions or fine collections for state or local government to experience any significant increase in revenue or expenditures.
- According to the Department of Environment and Conservation, any impact on the Underground Storage Tank Fund cannot be reasonably determined due to multiple unknown factors. The requirements of this bill could result in fewer incidents where petroleum is improperly released.

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CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink, appearing to read "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director

/jaw